

Private Road Notice

I have authorized the Seller to plat the described property and to dedicate such easements and other matters as are normally associated with the platting process in Wise County, Texas for the purpose of platting the Diamond Ridge Subdivision in Wise County, Texas or parts thereof. He may dedicate the private roads to be public roads with all associated easements and rights. He may dedicate them by metes and bounds, by plat, or by both, irrespective of platting. I understand that the roads in Diamond Ridge are presently private roads and shall remain private roads unless the subdivision is platted and the roads accepted by the County. The Seller, its agents and persons acting with the Seller are under no duty and have not been paid to, and I do not agree to pay them to plat the property or make the roads public roads, but I do not object to platting or making the roads public roads and I would like for that to happen. I understand that the County has no obligation to maintain any private roads and the roads in the subdivision are in fact private roads. I understand that the purchase price of the property does not pay the Developer to plat the subdivision or take any action to develop the subdivision and that the purchase transaction I entered was for private roads in the subdivision and that is my obligation and the obligation of the other land owners in the subdivision to maintain the roads. However, it is to my benefit to have public roads and a platted subdivision. I therefore granted to the Seller the power to proceed with the platting process and the dedication of the roads to the public, understanding that he has no contractual or other obligation to do so and may choose to do so or not do so. There is no written or oral agreement or promise or statement that the property will ever be platted or that the roads will ever be anything but private roads, but the seller has the power to plat the property and dedicate the roads at his will. I understand that the power of attorney I gave to the Seller is only to facilitate the platting of the subdivision should the developer care to do so. I understand that engineers and surveyors may differ in opinion as to the exact boundary lines between lots which are sold by metes and bounds descriptions and they may differ as to the exact boundary lines between platted lots and they may differ as to the exact boundary lines between platted lots and metes and bounds descriptions. If there is any dispute between the description of the property when I purchased the property and the description of the property as platted, the description of the property as platted shall control. The Seller agrees to treat me fairly in the description of my property in the plat. I understand that if the property is not platted, and the road is not dedicated, and the plat is approved and the roads accepted for maintenance by the County that the roads should be maintained by the Diamond Ridge Home Owner's Association and that I will be charged for the maintenance of the roads by that association and I will be required to pay for that maintenance. I further understand that the County has not approved any plat at this time and that the property is being sold by metes and bounds description and the roads are private, privately maintained roads.

Signed this 28th day of April, 2000.

Marvin E. Biddle
Marvin E. Biddle

Marita A. Biddle
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